IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Criminal (Jail) Appeal No. 145 of 2007

Dinesh Singh s/o Late Shri Kunwar Singh
R/o Dhariyaj, Patwari Circle Thati, Badma,
P.S. Dharasu, Distt. Rudraprayag (in jail) ..... Appellant

Versus

State of Uttarakhand ..... Respondent

.....

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S.Rawat, J.

RAJEEV GUPTA, C.J. (Oral)

Appellant Dinesh Singh had sent this appeal from jail, which was registered as Ciminal Appeal No. 145 of 2007 on 04.05.2007.

2. Appellant Dinesh Singh has filed this appeal against his conviction U/s 302 of the Indian Penal Code and sentence of imprisonment for life and fine of Rs. 2000/- vide impugned judgment dated 23.03.2007 passed by District and Sessions Judge, Rudraprayag in Sessions Trial No. 12 of 2005.

3. Appellant Dinesh Singh had filed another appeal through his counsel on 27.04.2007, which came to be registered as Criminal Appeal No. 138 of 2007 and was admitted for hearing vide order dated 30.04.2007 against his conviction and sentence vide the same impugned judgment dated 23.03.2007.

4. As more than one criminal appeal at the behest of the same appellant against the same judgment of conviction is not maintainable, this appeal i.e. Criminal Appeal No. 145 of 2007, having been filed later in point of time than Criminal Appeal No. 138 of 2007, is liable to be dismissed as not maintainable and is hereby dismissed accordingly.

5. It is further clarified that the dismissal of this appeal as not maintainable will not in any manner come in the way of the judgment to be passed on merits in Criminal Appeal No. 138 of 2007.

(J.C.S.Rawat , J.) **(Rajeev Gupta, C.J.)**
13.07.2007 13.07.2007

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